IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	Application of:)	
		:	Examiner: Luong Trung Nguyen
YOICHI YAMAGISHI)	
		:	Group Art Unit: 2612
Applic	eation No.: 08/898,921)	
		:	Confirmation No. 6547
Filed:	July 23, 1997)	
		:	
For:	IMAGE PROCESSING SYSTEM)	
	AND INFORMATION PROCESSING	:	
	APPARATUS)	January 9, 2008

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicant requests a refund of \$1,400.00 for the issue fee and \$300.00 for the publication, for a total of \$1,700.00, which was erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On September 29, 2005, Applicants submitted the PTOL-85 - Part B, Issue Fee Transmittal and payment in the amount of \$1,715.00, a copy of this form is attached, along with a copy of the stamped postcard acknowledging such receipt, and a copy of the

canceled check. On January 24, 2006 a Notice of Abandonment was erroneously issued by

the USPTO for failure to pay the Issue Fee. On February 9, 2006, Applicants filed a

Request for Withdrawal of Erroneously Issued Notice of Abandonment. This Request was

granted on August 8, 2007 and the patent issued on September 11, 2007 (copies of all

notices and requests attached.

Applicant's attorneys received a Monthly Statement of Deposit Account

dated August, 2007 (copy attached) indicating that Deposit Account No. 06-1205 was

charged \$1,400.00 and \$300.00. It is respectfully submitted that these charges are a

duplicate to the fees paid on September 28, 2005 and therefore are not warranted.

Accordingly, Applicant hereby requests a refund and authorizes the

Commissioner to credit Deposit Account No. 06-1205 in the amount of \$1,400.00 and

\$300.00 for a total of \$1,700.00, to resolve this matter.

Applicants' undersigned attorney may be reached in our New York office by

telephone at (212) 218-2100. All correspondence should continue to be directed to our

below-listed address.

Respectfully submitted,

/John A. Krause/

John A. Krause

Attorney for Applicant

Registration No. 24,613

FITZPATRICK, CELLA, HARPER & SCINTO

30 Rockefeller Plaza

New York, New York 10112-3801

Facsimile: (212) 218-2200

FCHS_WS 1898909v1

-2-

	Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Date 1291 C5 Mo. Day Yr. Atty. Docket 23571-14583.
FCHS-D-00	Kindly acknowledge receipt of the accompanying Response to Official Action. Check for \$

PART B - FEE(S) TRANSMITTAL

•			or Fax	(571) 273-2885	for Patents rgini¤ 22313-1450	
INSTRUCTIONS: This for appropriate. All further on indicated unless congered	orm should be used for trac recipondence including the below or directed etherwise	Smitting the ISSU Patent, selvance or in Block I, by (a	E FEE and PUBL ders and notificati	ICATION PEE (if rem of maintenance for	quired). Blocks I through 5 : will be mailed to the current se; and/or (b) indicating a sep	should be completed where t correspondence address as
CURRENT CORRESPONDEN	CE ADDRESS (Note Use Block) Ibs 190 09/12/2003	key chirch of address)	, , , , , , , , , , , , , , , , , , , ,		of mailing can only be used if fair certificate cannot be used and paper, such as an assignment ate of mailing or transmission.	
30 ROCKEFELLE NEW YORK, NY		SCINTO .		I hereby certify that Smuss Postal Service addressed to the M transmitted to the US	ertificate of Mailing or Transitud is being on which process from the strain of the st	amilarion ig deposited with the United fit class mail in as gavelope above, or being factimile date indicated below.
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02/898,921	07/23/1997		YOICHI YAMAC		ATTORNEY DOCKET NO.	COMPERMATION NO.
TITLE OF INVENTION: 1M	Mage processing syst	'EM AND INFOR!	MATION PROCES	SING APPARATUS	•	
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NOUYEN, LU	ong trung	2612		348-207100		
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(a) name of assigne	LE CONTRACTOR			TY and STATE OR CO		
CANON KABUS	HIKI KAISHA		Tokyo, J	apan		
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or The reliensed god(1) and c	aclosed:	4b. 1	Paymont of Fee(1):			op carry Co coverament
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Change in Entity Status (from status indicated above) [ALL ENTITY status. See 37	_			•	
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Authorized Signature	THE COME	se_		Date	Segtember 28,	
Typed or printed name		use		Registration	No 24,613	
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United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO. FILING DATE F		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
08/898,921 07/23/1997		YOICHI YAMAGISHI .	35.C9583-CI.	6547	
5514	7590 01/24/2006		EXAM	INER	
FITZPATRICK CELLA HARPER & SCINTO			NGUYEN, LU	NGUYEN, LUONG TRUNG	
30 ROCKEFELLER PLAZA NEW YORK, NY 10112			ART UNIT	PAPER NUMBER	
	•		2612		
			DATE MAILED: 01/24/200	6	

Please find below and/or attached an Office communication concerning this application or proceeding.

	A complete and the Administration of the Adm	
	Application No.	Applicant(s)
Notice of Abandonment	08/898,921	YAMAGISHI
Hotioe of Abandonment	Examiner	Art Unit
	NGUYEN	2612
The MAILING DATE of this communication app	·	
This application is abandoned in view of:		
 Applicant's failure to timely file a proper reply to the Office (a) A reply was received on (with a Certificate of New period for reply (including a total extension of time of) 	Mailing or Transmission dated month(s)) which expired on	•
(b) A proposed reply was received on, but it does		· ·
(A proper reply under 37 CFR 1.113 to a final rejection application in condition for allowance; (2) a timely filed Continued Examination (RCE) in compliance with 37 (I Notice of Appeal (with appeal fee);	nendment which places the or (3) a timely filed Request for
(c) A reply was received on but it does not constitutional rejection. See 37 CFR 1.85(a) and 1.111. (See	ute a proper reply, or a bona fide atte explanation in box 7 below).	mpt at a proper reply, to the non-
(d) No reply has been received.		
 Applicant's failure to timely pay the required issue fee and from the mailing date of the Notice of Allowance (PTOL-8 (a) ☐ The issue fee and publication fee, if applicable, was 	5). received on (with a Certification	ate of Mailing or Transmission dated
), which is after the expiration of the statutory per Allowance (PTOL-85).		nd publication fee) set in the Notice of
(b) The submitted fee of \$ is insufficient. A balance		
The issue fee required by 37 CFR 1.18 is \$	•	CFR 1.18(d), is \$
(c) The issue fee and publication fee, if applicable, has no	ot been received.	
Applicant's failure to timely file corrected drawings as requallowability (PTO-37).	·	
(a) ☐ Proposed corrected drawings were received on after the expiration of the period for reply.	(with a Certificate of Mailing or Tran	smission dated), which is
(b) ☐ No corrected drawings have been received.		
 The letter of express abandonment which is signed by the the applicants. 	e attorney or agent of record, the assi	ignee of the entire interest, or all of
 The letter of express abandonment which is signed by an 1.34(a)) upon the filing of a continuing application. 	attorney or agent (acting in a repres	entative capacity under 37 CFR
 The decision by the Board of Patent Appeals and Interference of the decision has expired and there are no allowed claim 		e the period for seeking court review
7. The reason(s) below:		
		slk
		v
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdra	w the holding of abandonment under 37 (CFR 1.181, should be promptly filed to

FEB 0 9 2006

FITZPATRICK, CELLA, HARPER & SCINTO

30 Rockefeller Plaza New York, NY 10112-3801 (212) 218-2100

Facsimile:(212) 218-2200

FACSIMILE COVER SHEET

TO:	Examiner Luong T. Ngu USPTO - Group Art Uni			
FROM:	John A. Krause (Reg. No	o. 24,613)	•	
RE:	U.S. Patent Appln. No. 0 Attorney Docket: 03500	08/898,921 .009583.3		
FAX NO.:	571-273-8300			
DATE:	February 9, 2006	NO. OF PAGES: (including cover page)	5	
TIME:	SENT BY:			

MESSAGE

to: Commissioner for Patents, 1450, (571)273-8300, on	ondence is being transmitted via facsimile P.O. Box 1450, Alexandria, VA 22313
- Feb	ruary 9, 2006
(Date o	f Deposit)
Joh	nn A. Krause
// Plame of Attorney f	or Applicant)
Halls rule _	February 9, 2006
D4: (17	Date of Signature

IF YOU DO NOT RECEIVE ALL THE PAGES PLEASE CALL 212-218-2100 AS SOON AS POSSIBLE.

Note: We are transmitting from a Canon Model FAX-L770 (compatible with any Group II, Group II or Group III machine).

THIS FACSIMILE MESSAGE AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED ABOVE. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED THEREIN IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED THEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINATO US AT THE ABOVE ADDRESS. THANK YOU.

RECEIVED CENTRAL FAX CENTER

03500.009583.3

FEB 0 9 2006 PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	•	.} :	Examiner:	Luong T. Nguyen
YOICHI YAMAGI	sнı)	Group Art	Unit: 2612
Appln. No.: 08/898	,921)	•	
Filed: July 23, 199	7)		
AND INFO	OCESSING SYSTEM RMATION NG APPARATUS	;	February 9	, 2006

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL OF ERRONEOUSLY ISSUED NOTICE OF ABANDONMENT

Sir:

Applicant's undersigned counsel received a Notice of Abandonment dated

January 24, 2006, indicating that the above-identified application has been abandoned because of

Applicant's alleged failure to timely pay the required issue fee and publication fee, as required in

the Notice of Allowance dated September 12, 2005.

Thereby certify that this correspon to: Commissioner for Patents, P. (1450, (571) 273-8300, on February	dencels being transmitted via facsimile D. Box 1450, Alexandria, VA 22313- 9, 2006
(Date of D	eposit)
John A. P	Crunse
(Name of Atto	erney for Applicant)
- HIII MUM	February 9, 2006
Signature	Date of Signature
•	

Applicant's undersigned counsel respectfully points out that the Issue Fee and publication fee was timely paid on September 29, 2005. A copy of the Transmittal Form - Part B is attached hereto, along with a copy of a postcard returned by the Patent and Trademark Office acknowledging its receipt of that paper and receipt of our check in the amount of \$1,715.00, covering the Issue fee, publication fee and advance order fee.

Applicant's undersigned counsel, therefore, respectfully requests that this application be restored, and that the application be issued as a patent.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

Attorney for Applicants

John A. Krause

Registration No. 24.613

FITZPATRICK, CELLA, HARPER & SCINTO 30 Rockefeller Plaza New York, New York 10112-3801 Facsimile: (212) 218-2200

NY_MAIN 550039v1



UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE					
SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.		
08/898921	07/23/97	YAMAGISHI, YOICHI	03500.009583.3		

FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK NY 10112

EXAMINER '					
NGUYEN, LUONG					
ART UNIT PAPER NUMBER					
2612					

DATE MAILED:

08/08/2007

NOTICE OF RESCINDED ABANDONMENT

☑ Through inadvertence, a Notice of Abandonment was mailed in the above-identified application. The Notice of Abandonment is hereby rescinded.

Manager, Publications Division
Office of Patent Publication

571-272-4200



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

CONFIRMATION NO. ATTORNEY DOCKET NO. ISSUE DATE PATENT NO. APPLICATION NO. 6547 09/11/2007 7268800 03500.009583.3 08/898,921

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7590

FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment is 71 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

YOICHI YAMAGISHI, TOKYO, JAPAN;

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NEW YORK NY 10112-3801
(212) 218-2100

CHECK NUMBER: 124756 CHECK DATE: 09/28/2005 MATTER NUMBER: 03500,009583.3

\$1,715.00*****

VOID AFTER 180 DAYS

ONE THOUSAND SEVEN HUNDRED FIFTEEN AND 00/100 Dollars

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COMMISSIONER OF PATENTS AND TRADEMARKS WASHINGTON, D.C. 20231



Call - 4

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PATENT AND TRADEMARK OFFICE 13-10-0001 69-30-2005 FOR CREDIT TO THE U.S. TREASURY





Deposit Account Statement

Requested Statement Month:

August 2007

Deposit Account Number:

061205

Name:

FITZPATRICK CELLA HARPER & SCINTO

Attention:

Street Address 1:

30 ROCKEFELLER PLAZA

Street Address 2:

City:

NEW YORK

State:

NY

Zip:

10112-3801

Country:

UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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	6 0157080373	02618.601626.	8014	\$25.00	\$24,357.85

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08/06 9013 11834087	03736.000005.	4011	\$75.00	\$93,121.85
08/06 9014 11834087	03736.000005.	2111	\$250.00	\$92,871.85
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08/08 2816 77249279	01907.000T47.A P-5023P1C1~01204.04800	7001	\$975.00 \$790.00	\$77,596.85
08/08 3164 11205919	P-5023P1C1>010-1	1801	\$200.00	\$77,396.85
08/08 1 10820120	03300.003431	1201	\$200.00 \$150.00	\$77,246.85
08/08 2 10820120	03560.003451	1202	\$130.00	\$75,846.85
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08/09 2234 77250324	03795.000100	7001	\$325.00	
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08/09 1 11565221	00684.003582.2	1201	\$200.00	\$87,183.85
08/09 2 11565221	00684.003582.2	1202	\$400.00	\$86,783.85
08/09 19 10454823	2630-122 2630-120 2600-120 2600-12000-120 2600-1	0 1252	-\$450.00 #700.00	\$87,233.85
08/09 20 10454823	2630-122 (03920.	1801	-\$790.00	\$88,023.85
08/09 21 10454823	2630-122	2801	\$395.00	\$87,628.85